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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ERICA FRASCO, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

FLO HEALTH, INC., GOOGLE, LLC,  
FACEBOOK, INC., APPSFLYER, INC., and  
FLURRY, INC.,

Defendants.

Case No.: 3:21-cv-00757-JD

**JOINT STIPULATION [PROPOSED]  
ORDER TERMINATING GOOGLE LLC'S  
MOTION TO STRIKE OPINION OF  
JENNIFER GOLBECK [ECF NO. 337]  
WITHOUT PREJUDICE**

Defendant Google LLC (“Google”), by and through its counsel, and Plaintiffs Erica Frasco, Sarah Wellman, Justine Pietrzyk, Jennifer Chen, Tesha Gamino, Leah Ridgway, Autumn Meigs, and Madeline Kiss (collectively “Plaintiffs”), by and through their counsel, hereby stipulate to the following:

WHEREAS, on September 29, 2023, Google filed a Motion to Strike Opinion of Plaintiffs’ Expert Jennifer Golbeck (Dkt. No. 337) and Motion for Summary Judgment (Dkt. No. 338);

WHEREAS, on October 27, 2023, Plaintiffs filed an Opposition to Google’s Motion to Strike Opinion of Plaintiffs’ Expert Jennifer Golbeck (Dkt. No. 345) and Opposition to Google’s Motion for Summary Judgment (Dkt. No. 348);

WHEREAS, on November 10, 2023, Google filed a Reply in Support of its Motion to Strike Opinion of Plaintiffs’ Expert Jennifer Golbeck (Dkt. No. 358) and Reply in Support of its Motion for Summary Judgment (Dkt. No. 360);

WHEREAS, the hearing on Google’s Motion to Strike Opinion of Plaintiffs’ Expert Jennifer Golbeck is scheduled for February 22, 2024;

WHEREAS, to ease the burden on the Court and in an effort to reduce the pending motions before the Court, Google and Plaintiffs have met and conferred about Google’s Motion to Strike Jennifer Golbeck;

WHEREAS, Plaintiffs do not rely upon the Opinion of Jennifer Golbeck in opposing Google’s Motion for Summary Judgment (Dkt. No. 345) and therefore Google and Plaintiffs agree that adjudication of Google’s Motion to Strike is not necessary to the adjudication of Google’s Motion for Summary Judgment;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, among the undersigned parties, and respectfully submitted for the Court’s approval, as follows:

The Court shall terminate Google’s Motion to Strike Opinion of Plaintiffs’ Expert Jennifer Golbeck (Dkt. No. 337) without prejudice.

**IT IS SO STIPULATED.**

Dated: February 14, 2024

/s/ Benedict Y. Hur

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*Counsel for Plaintiffs Erica Frasco and Sarah  
Wellman*

**[PROPOSED] ORDER**

Pursuant to the Parties' Stipulation, Defendant Google LLC's Motion to Strike Opinion of Plaintiffs' Expert Jennifer Golbeck is hereby terminated without prejudice.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2024

\_\_\_\_\_  
JAMES DONATO

United States District Judge

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(h)(3), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: February 14, 2024

WILLKIE FARR & GALLAGHER LLP

By: /s/ Benedict Y. Hur

Benedict Y. Hur

*Attorney for Defendant Google LLC*